amended to recite a labeling machine having the dual capability of being able to detect either the presence of empty packages or the absence of packages on a packaging machine system. Accordingly, Applicant believes it has overcome the Examiner's rejection of claims 1-10 under Section 112, paragraph 2.

B. Claim Objections

In Paragraphs 2-14, the Examiner objected to claims 6, 7, 9 and 10 based on informalities. Applicant has amended claims 6, 7, 9 and 10 to correct the informalities by accepting the Examiner's suggested changes or making changes that correspond to the Examiner's suggested language. Accordingly, Applicant believes that it has overcome the objections to claims 6, 7, 9 and 10.

CONCLUSION

In view of all the corresponding amendments and remarks, Applicant requests that the Examiner withdraw all objections to the specification, drawings and claims and place this Application in condition for allowance.

Respectfully submitted,

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Version With Marking To Show Changes Made

1. (Once Amended) A labeling machine having the ability to detect the presence of [an] either empty [package] packages or the absence of [a package] packages on a packaging machine system, said labeling machine comprising at least one proximity sensor placed in front of the labeling machine to detect either the presence of [an] empty [package] packages or the absence of [a package] packages on a packaging machine prior to [the] empty [package] packages or empty [space] spaces on the packaging machine reaching the labeling machine and to communicate such information to the labeling machine such that the labeling machine will not dispense [a label] labels for [an] empty [package] packages or absent [package] packages on the packaging machine system.

6. (Once Amended) A labeling machine recited in claim 1, wherein said sensors are placed at least one row ahead of [the] a row of packages being labeled.

7. (Once Amended) A method for detecting [an] either empty [package] packages or the absence of [a package] packages on a packaging machine system to prevent the unnecessary dispensing of labels onto empty [or] and absent packages, said method comprising the steps of:

placing at least one sensor in front of a labeling machine to detect the presence of [an] either empty [package] packages or the absence of [a package] packages on a packaging machine system,

the sensor communicating the detection of either an empty package or absence of a package to the labeling machine;

the labeling machine reading [such] the communication and preventing the dispensing of a label for a package when [a] the sensor has detected that [such] a package for which [the] a label is to be dispensed is either [an] empty or absent [package].

9. (Once Amended) A method for detecting an empty package or the absence of a package on the packaging machine system as recited in claim 7, further comprising the step of utilizing multiple sensors and communicating the information detected by the sensors with respect to each package in an array of packages to the labeling machine in the order that the labeling machine dispenses the labels for such packages on the tracks of the packaging machine.

10. (Once Amended) [An] A method for detecting [an] either empty [package] packages or the absence of [a package] packages on a packaging machine system to prevent the unnecessary dispensing of labels onto empty [or] and absent packages, said method comprising the steps of:

placing proximity sensors at least one row ahead of the row being labeled by a labeling machine designed to label an array of packages;

the labeler calling for a snap-shot of the signals being given by the sensors as they relate to the proceeding row of [articles] packages;

storing said snap-shot of signals as a series of [bits] bit information corresponding to the [positioning] placement of each sensor;

the labeler reading the series of bit information when dispensing the row of labels that corresponds to the row of [articles] packages for which the information was taken and dispensing labels only when [such sensors detect] a sensor detects the presence of a package filled with product.